

REMARKS

Applicant respectfully requests reconsideration of the present application in view of the foregoing amendments and in view of the reasons that follow.

Claims 13, 24, 57 and 59 are currently being amended. Claims 11 and 12 are canceled. Claims 1, 8, 13-15, 22-24 and 57-59 are pending.

Applicant appreciates the Examiner's decision that claims 1, 8, 14, 15, 22 and 23 are allowable.

35 U.S.C. § 103

Claims 11, 12, and 57-59 are rejected under 35 U.S.C. §103(a) as being unpatentable over Pan et al, CA 129:175488. Claims 11, 12 and 57-59 are also rejected under 35 U.S.C. §103(a) as being unpatentable over Wang et al., CA 127:149030. Applicant cancels claims 11 and 12 strictly to expedite prosecution of the current application and without prejudice to pursuing claims to this subject matter in a subsequent application. Claims 57 and 59 are amended to depend from claim 13, in place of claim 11. As the examiner has indicated that the subject matter of claim 13 is allowable if rewritten in independent form, Applicant submits that claims 57-59 are patentable, as amended.

35 U.S.C. § 112

Claims 24 and 59 are rejected under 35 U.S.C. § 112, first paragraph, as lacking enablement for treating colon cancer. Claims 24 and 59 are amended solely to expedite prosecution. Applicant expressly reserves the right to pursue claims drawn to the subject matter of treating colon cancer in a subsequent application.

Claim Objection

Claim 13 is objected to as being dependent upon a rejected base claim. Claim 13 is amended to independent form incorporating all of the limitations of claim 12. Claims 57 and 59 are amended to depend from claim 13, in the place of claim 11.

Applicant believes that the present application is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 50-0872. Should no proper payment be enclosed herewith, as by a check or credit card payment form being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 50-0872. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 50-0872.

Respectfully submitted,

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By Karen E. Flick

FOLEY & LARDNER LLP
Customer Number: 38706
Telephone: (650) 251-1115
Facsimile: (650) 856-3710

Karen E. Flick
Attorney for Applicant
Registration No. 44,111